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SUBJECT: KAZAKHSTAN: WEEKLY SPOT-REPORT DIGEST, FEBRUARY 22-26

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11. (SBU) This weekly cable disseminates spot reports based on Embassy conversations with contacts as well as reports from the Kazakhstani media. Our goal is to draw attention to information that might not merit a full cable report or that will be developed later.

MAJOR POLICY DEVELOPMENTS: HOLBROOKE VISITS ASTANA

12. (U) February 23. Local media reported that U.S. Special Representative for Afghanistan and Pakistan Richard Holbrooke visited Astana where he met with Kazakhstan's State Secretary/Foreign Minister Kanat Saudabayev. During their meeting, the officials discussed cooperation between Kazakhstan and the United States, including issues related to bilateral and multilateral collaboration. Saudabayev summarized Astana's priorities as OSCE Chairman, including the stabilization process in Afghanistan, which is one of its key priorities. The two sides also discussed the agenda for the upcoming meeting of President Nursultan Nazarbayev with President Barack Obama during Nazarbayev's visit to the Global Nuclear Security Summit. (COMMENT: The press reports that seem to confirm an Obama-Nazarbayev meeting are premature. END COMMENT).

POLOFF VISITS HUMAN RIGHTS ACTIVIST ZHOVTIS

13. (SBU) February 24. Poloff travelled to a penal colony outside Ust-Kamenogorsk to visit imprisoned human rights activist Evgeniy Zhovtis. According to Poloff, he is in relatively good spirits and seems to be on good terms with the prison administration. Zhovtis said that he sees four possible resolutions to his case: 1) the Supreme Court annuls the lower court's sentence without overturning its guilty verdict; 2) he is granted amnesty in March, May, or July; 3) he is released before his four-year sentence expires (NOTE: Zhovtis is not technically eligible for parole until early 2011,

when Kazakhstan will no longer be OSCE Chairman-in-Office. END NOTE); 4) he requests a Presidential pardon. Zhovtis told Poloff that if the first three legal options fail and he is forced to request a pardon as a last resort, he will leave Kazakhstan for good upon his release. Zhovtis also said that he is eager for outside news and welcomes outside visitors. The two-hour conversation was carefully transcribed by two prison officials who were present at the meeting.

#### MINISTER OF JUSTICE DISCUSSES THE ZHOVTIS CASE

14. (SBU) February 25. The Ambassador met with Minister of Justice Rashid Tusupbekov to discuss the possibility of an amnesty for crimes of lesser gravity (which would include Zhovtis). Tusupbekov said he submitted his recommendation supporting an amnesty to Parliament and the Presidential Administration for consideration. The Ambassador thanked Tusupbekov for allowing Poloff to visit Zhovtis, and requested the Minister's support for the Embassy's request to allow two Helsinki Commission staffers to visit Zhovtis as well. Tusupbekov also discussed Kazakhstan's legal reform strategy and ongoing bilateral cooperation on judicial matters. Tusupbekov expressed appreciation for U.S. government assistance, including the Judicial Education Program, and support of Kazakhstani efforts on counter-narcotics and counter-trafficking in persons. While underscoring his Ministry's commitment to continue to work closely with the United States, Tusupbekov also asserted that if a meeting between Presidents Obama and Nazarbayev takes place in April, it could "open up new opportunities for further cooperation."

#### MAJOR MILESTONES: BN-350 DECOMMISSIONING PROGRAM 1/12TH COMPLETE

15. (SBU) February 19. The deputy director of the National Nuclear  
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Center of Kazakhstan told Department of Energy office director that the spent fuel shipment portion of the BN-350 decommissioning program "is now 1/12th complete." Eleven shipments remain, each with five casks, all which will be stored at the Baikal-1 storage facility before the end of 2010. Moreover, the 30th of 60 spent fuel casks was staged at the rail head in Aktau, marking the halfway point of the spent fuel preparation activities. Both Baikal-1 storage and MAEK-Kazatomprom BN-350 reactor personnel plan held celebrations marking the event.

#### DUPONT'S EXPANSION IN KAZAKHSTAN

16. (SBU) February 22. Foreign Commercial Service (FCS) representatives met with Dupont to discuss possible areas of business expansion including the food processing and packaging, and construction sectors. Dupont reports increased sales during the economic crisis of their safety products, primarily purchased by the extractive sectors. Finally, as a result of their meeting requested by the Ministry of Trade at the November 2009 Investment Forum in New York, Dupont and the government are in talks regarding ways to increase presence of the company's Pioneer line of plant genetics.

#### MFA SIMPLIFIES VISA REGIME

17. (U) February 22. The Kazakhstan TV Channel and Commercial Television of Kazakhstan (KTK) reported that Kazakhstan's MFA has promised to simplify its visa procedure starting March 1. Foreign diplomats and employees of international organizations will not need visas, just official MFA accreditation. A new type of visa, called an "exit visa," will apply to foreigners who have lived in Kazakhstan for a long time and decide to go back home, or have lost their passports while in Kazakhstan, or have been deported. Foreign missionaries arriving in Kazakhstan to promote religious ideas will have to apply a special "missionary visa."

#### FROM THE WIRES IN KAZAKHSTAN: A "RESPUBLIKA" BY ANY OTHER NAME

18. (U) February 23. The editors of the opposition newspaper "Respublika" and related newspapers ("Golos Respubliki," "Respublica Business Review") held a press conference on February 22 to protest against what they see as pressure from the authorities on

independent newspaper printers to stop printing or selling "Respublika" and any of its related papers. The editors described several instances when independent printers declined to print their newspapers. For example, the director of a printing house in Karaganda contracted by "Respublika" was summoned to the mayor's office, shortly after which he declined to print the newspaper. According to the editors, these incidents have intensified after a February 18 ruling by the Medeu Judicial Administration, which ordered all printing houses and other organizations to transfer any payments received from "Respublika" to a depository account of the Judicial Administration, to be turned over to BTA Bank as compensation for the newspaper's debt.

#### KAZAKHSTAN'S PLANS FOR LAW ENFORCEMENT REFORM

19. (SBU) On February 23, LegAtt and INL met with Alik Shpekabayev, Head of the Law Enforcement Section of the Presidential Administration, to discuss the government's plans for law enforcement reform. Shpekabayev said the Presidential Administration is collecting, analyzing, and summarizing information on law enforcement systems in neighboring countries, especially Georgia, Armenia, the Baltic States, and the Russian Federation. He asked for information about the law enforcement structure in the United States at all levels, including the jurisdiction of each agency and interaction and cooperation between agencies; the prison system, including alternative sentencing and how the United States manages a

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large prison population; basic and in-service training; crime statistics and how databases are maintained; performance criteria; and standards for determining the number of officers needed by a specific agency in a specific area. When asked about the time frame for developing and implementing a reform plan, Shpekabayev said, "the sooner, the better." INL said it would provide materials on the law enforcement structure in the United States and consider the possibility of study visits and IVLPs to the United States. The Legal Attache offered to provide information on crime statistics and joint task forces in the United States and offered to facilitate study visits.

#### FORMER DEPUTY MINISTER OF DEFENSE SENTENCED

10. (U) February 25. Former Deputy Minister of Defense Kazhimurat Mayermanov was sentenced to 11 years in prison after being convicted of corruption, abuse of office, and bribe-taking, according to the Military Prosecutor's Office. The court also convicted Israeli citizen Boris Sheinkman of fraud and bribery, sentenced him to 11 years in prison, and confiscated his property. In addition, the former acting commander of Kazakhstan's Rocket and Artillery Forces received a seven-year prison sentence on charges of abuse of office and was stripped of his military rank of colonel. Mayermanov, who oversaw the Defense Ministry's research and development projects, was arrested on April 10, 2009, for allegedly signing unauthorized contracts worth \$82 million with Sheinkman, who represented Israeli defense firms IMI and Soltam Systems. Journalists were not allowed to attend Mayermanov's trial. Partly as a result of this case, the Ministry of Defense has expressed a preference for using Foreign Military Sales channels rather than direct dialogue with Western/U.S. companies to procure systems such as C-130 aircraft.

HOAGLAND